

Amendment and Response under 37 C.F.R. 1.116

Applicant: Travis J. Parry

Serial No.: 10/092,050

Filed: March 5, 2002

Docket No.: 10008068-1

Title: PRINTER OPTION SUGGESTION METHOD AND PROGRAM**REMARKS**

The following Remarks are made in response to the Final Office Action mailed April 17, 2006, in which claims 1-22 were rejected. With this Amendment, claims 21 and 22 have been cancelled without prejudice, and claims 1, 8-13, 16, 17, and 20 have been amended to clarify Applicant's invention. Claims 1-20, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 21 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Cooper et al. US Patent No. 6,816,270.

With this Amendment, claims 21 and 22 have been cancelled without prejudice. The rejection of claims 21 and 22 under 35 U.S.C. 102(e), therefore, is rendered moot.

Claim Rejections under 35 U.S.C. § 103

Claims 1-7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al. US Patent No. 6,816,270 and Igval US Patent No. 6,045,206.

Claims 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al. US Patent No. 6,816,270 and Igval US Patent No. 6,045,206 as applied to claim 1, and in further view of Parulski US Patent No. 6,915,273.

Claims 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al. US Patent No. 6,816,270 and Igval US Patent No. 6,045,206 as applied to claim 1, and in further view of Allen et al. US Patent No. 4,556,959.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al. US Patent No. 6,816,270 and Igval US Patent No. 6,045,206 as applied to claim 1, and in further view of Wood et al. US Patent No. 6,453,127.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al. US Patent No. 6,816,270 and Igval US Patent No. 6,045,206 as applied to claim 1, and in further view of Hopkins US Patent No. 5,390,004.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al. US Patent No. 6,816,270 and Igval US Patent No. 6,045,206 as applied to claim 14, and in further view of Hanzawa US Patent No. 5,506,661.

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Claims 16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al. US Patent No. 6,816,270, Igval US Patent No. 6,045,206 and Dewitt et al. US Patent No. 5,572,672.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al. US Patent No. 6,816,270, Igval US Patent No. 6,045,206 and Dewitt et al. US Patent No. 5,572,672 as applied to claim 16, and in further view of Wood et al. US Patent No. 6,453,127.

With this Amendment, independent claim 1 has been amended to clarify that the method for improving use of printing devices includes determining usage characteristics of at least one printing device; determining all options available for said at least one printing device; determining all installed options currently existing on said at least one printing device; and determining a set of optimal options for said at least one printing device based on said usage characteristics, said available options and said installed options.

With this Amendment, independent claim 16 has been amended to clarify that the method for suggesting printing device options includes determining usage characteristics including an amount and type of use of at least one printing device with said device management program; using said computer program to determine all options available for said at least one printing device; using said computer program to determine all installed options present on said at least one printing device; and using said computer program to determine an optimal set of options for said at least one printing device based on said usage characteristics, said available options and said installed options.

With respect to the Cooper et al., Igval, Parulski, Allen et al., Wood et al., Hopkins, Hanzawa, and Dewitt et al. patents, Applicant submits that none of these patents, individually or in combination, teach or suggest a method for improving use of printing devices as claimed in independent claim 1, nor a method for suggesting printing device options as claimed in independent claim 16.

For example, the Cooper et al. patent discloses a process for printing a job wherein if a print option has been selected, the process then determines whether hardware support is present for this option (step 612) such that if hardware support is not present for the print option in step 612, then the device independent format information is retrieved (step 614) and a software simulation is performed (step 616), whereby the software simulation is used to provide the print option not supported by the hardware (Fig. 6; col. 7, lines 14-53). The

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Cooper et al. patent, however, does not determine usage characteristics of a printing device, does not determine all options available for the printing device, does not determine all installed options currently existing on the printing device, and does not determine a set of optimal options for the printing device based on the usage characteristics, the available options and the installed options.

In addition, the Igval patent discloses a method of operating an ink jet printer including using a maintenance algorithm to control timing of a maintenance action, keeping a historical log of an operating characteristic of the ink jet printer over a period of time, and changing the maintenance algorithm for subsequent use by the ink jet printer based upon the historical log (see Abstract). Again, the Igval patent, however, does not determine usage characteristics of a printing device, does not determine all options available for the printing device, does not determine all installed options currently existing on the printing device, and does not determine a set of optimal options for the printing device based on the usage characteristics, the available options and the installed options.

In view of the above, Applicant submits that independent claims 1 and 16 are each patentably distinct from the Cooper et al., Igval, Parulski, Allen et al., Wood et al., Hopkins, Hanzawa, and Dewitt et al. patents and, therefore, are each in a condition for allowance. Furthermore, as dependent claims 2-15 further define patentably distinct claim 1, and dependent claims 17-20 further define patentably distinct claim 16, Applicant submits that these dependent claims are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 1-20 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1-20 be allowed.

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Title: PRINTER OPTION SUGGESTION METHOD AND PROGRAM**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-20 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 19th day of June, 2006.

By: 
Name: Scott A. Lund